

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK


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LUIGI GIROTTO,	:	
	:	
Plaintiff,	:	
	:	21-CV-6276 (VSB)
-against-	:	
	:	<u>ORDER</u>
EL POTE ESPANOL, INC. and 720 SECOND,	:	
LLC,	:	
Defendants.	:	
	:	
-----X		

VERNON S. BRODERICK, United States District Judge:

Plaintiff filed this action on July 23, 2021, (Doc. 1), and filed an affidavit of service for Defendant El Pote Espanol, Inc. on October 1, 2021, showing that Defendant El Pote Espanol, Inc. was served on September 2, 2021, (Doc. 8). The deadline for Defendant El Pote Espanol, Inc. to respond to Plaintiff's complaint was September 23, 2021. (*See* Doc. 8.) To date, Defendant El Pote Espanol, Inc. has not appeared or responded to the complaint. Plaintiff, however, has taken no action to prosecute this case against Defendant El Pote Espanol, Inc. Accordingly, if Plaintiff intends to seek a default judgment, he is directed to do so in accordance with Rule 4(H) of my Individual Rules and Practices in Civil Cases by no later than March 30, 2022. If Plaintiff fails to do so or otherwise demonstrate that he intends to prosecute this litigation against Defendant El Pote Espanol, Inc., I may dismiss the claims against Defendant for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

SO ORDERED.

Dated: March 16, 2022
New York, New York


VERNON S. BRODERICK
United States District Judge